

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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EXP Group, LLC,

Plaintiff,

- against -

Los Compadres Products Corp.,
Josefa F. Perez and Pablo Perez,

Defendants.

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On March 26, 2008, the Court having entered an Order enforcing settlement terms under docket entry number 29 (the "Order") and a Judgment and Order in the sum of \$190,943.54 under docket entry number 30 to resolve the above-captioned proceeding, and

The payment contemplated to be made under paragraph "1" of the Order from the posted bond in the sum of \$27,500.00 immediately upon entry of the Order not having been made, and

The bondsman having taken the position that the due to the nature of the bond that was posted, the bond and the collateral securing the bond cannot be used to satisfy the Defendants' obligations under paragraphs "1" and "2" of the Order, and

The Court having scheduled a hearing for May 15, 2008 to resolve the issues raised by the bondsman, and

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DATE FILED: <u>MAY 15, 2008</u>

Case No.: 07 CIV 9847 (PAC)

ECF CASE

**CONSENT ORDER MODIFYING
ORDER DATED MARCH 26, 2008**

The parties having agreed that the terms of payment and security set forth in paragraph "1" and "2" of the Order shall be modified and that the sum of \$50,000.00 to be paid to Plaintiff under paragraphs "1" and "2" of the Order shall be paid and secured as set forth herein,

NOW, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. Immediately upon the entry of this Order, but no later than May 15, 2008, Defendants shall pay the Plaintiff the sum of Twenty-Eight Thousand Seven Hundred Fifty (\$28,750.00) Dollars. The payment shall be made by check payable to EXP Group, LLC and delivered to Paul T. Gentile, Esq., Gentile & Dickler, LLP, 261 Madison Avenue, New York, New York 10016.

2. Commencing on June 15, 2008 and continuing on the fifteenth day of each succeeding month, without interruption, for a period of seventeen (17) months, the Defendants shall pay to the Plaintiff the monthly sum of \$1,250.00, for a total of \$21,250.00. The monthly payments shall be made by check payable to EXP Group, LLC and delivered to Paul T. Gentile, Esq., Gentile & Dickler, LLP, 261 Madison Avenue, New York, New York 10016. The obligation of the Defendants to the Plaintiff for payment of the \$21,250.00 shall be secured by funds in the amount of \$21,250.00 provided by third parties on behalf of the Defendants, which funds shall be turned over to Gentile & Dickler, LLP upon entry of this Order by check payable to Gentile & Dickler, LLP and held in an interest-bearing escrow account by Gentile & Dickler, LLP in accordance with paragraph "3" below.

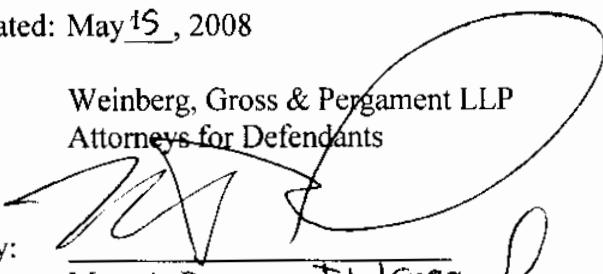
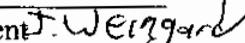
3. In the event a monthly payment is not received by Gentile & Dickler, LLP on or before the scheduled monthly payment date or a monthly payment is dishonored for any reason upon presentation to a bank for payment, Gentile & Dickler, LLP shall make payment

from the escrow amount to EXP Group, LLC for the monthly payment amount plus any fees charged by the bank to EXP Group, LLC for a returned check. In the event a monthly payment is received by Gentile & Dickler, LLP after the payment due date, that late payment shall be deposited in the escrow account to replenish the previously deducted amount. Upon bank clearance of the final monthly payment, Gentile & Dickler, LLP shall forward to Weinberg, Gross & Pergament, LLP the remaining balance in the escrow account.

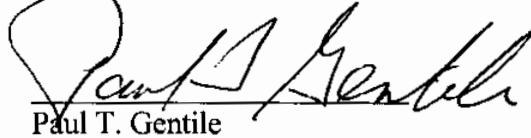
4. Except as expressly set forth herein, the Order, the Judgment and the Order Amending Caption entered on March 26, 2008 under docket entry number 28 shall remain in full force and effect.

Dated: May 15, 2008

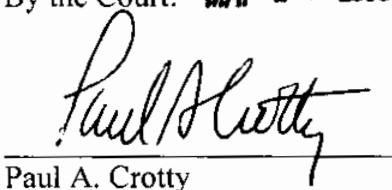
Weinberg, Gross & Pergament LLP
Attorneys for Defendants

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Gentile & Dickler, LLP
Attorneys for Plaintiff

By: 
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(212) 619-2700

By the Court: MAY 15 2008


Paul A. Crotty
United States District Court Judge